

02-19-02

EV062203520US

PTO/SB/25 (5/98)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. 1.53(d))

CHECK BOX, if applicable
 DUPLICATE

Address to:

**Assistant Commisioner for Patents
Box CPA
Washington, DC 20231**

Attorney Docket No. of Prior Application	1094
First Named Inventor	Wohlsen
Examiner Name	Azad, A.
Group/Art Unit	2641
Express Mail Label No.	EV062203520US

This is a request for a continuation or divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/351,723,
filed on 7/12/99, entitled METHOD AND SYSTEM FOR IDENTIFYING A USER BY VOICE

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51 (b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a) (2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 153(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 153(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 178(a).

1. Enter the unentered amendment previously filed on 11/28/2001 under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53 (d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time that you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCUALTIONS
TOTAL CLAIMS (37 C.F.R. 1.16(c) or (i))	22 - 20* =	2	X\$ <u>18</u> =	\$ <u>36</u>	
INDEPENDENT CLAIMS (37 C.F.R. 1.16(b) or (i))	3 - 3** =	0	X\$ <u>84</u> =	0	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. 1.16(d))			+\$ <u></u> =		
			BASIC FEE (37 C.F.R. 1.16)	<u>740</u>	
			Total of above Calculations=	<u>776</u>	
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.27).				<u>0</u>	
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL=	<u>776</u>	

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07-1738

a. Fees required under 37 C.F.R. 1.16.
b. Fees required under 37 C.F.R. 1.17
c. Fees required under 37 C.F.R. 1.18

8. A check in the amount of \$ _____ is enclosed.

9. Payment by credit card. Form PTO-2038 is attached.

10. Applicant requests suspension of action under 37 CFR 1.103 (b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11. New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. Other: **PTO/SB/35, Petition for Extension of Time**

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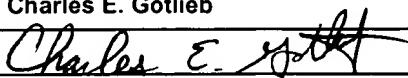
NOTE:

*The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.*

14. NEW CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	 30748 (Insert Customer Number or Bar Code Label here)	<input type="checkbox"/> New correspondence address below
Name		
Address		
City	State	Zip Code
Country	Telephone	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Charles E. Gotlieb
Signature	
Registration No. (Attorney/Agent)	38,164
Date	2/15/2002



11/6
MDJ
2/27/02

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Robert C. Wohlsen et. al.

SERIAL NO:

09/351,723

FILING DATE:

7/12/99

TITLE:

METHOD AND SYSTEM FOR IDENTIFYING A USER BY VOICE

GROUP ART UNIT:

2641

ATTY DOCKET NO:

1094

EXAMINER:

Azad, A.

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CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on the date shown below:

Date: 2/15/2002

Lauren Gellman
Lauren Gellman

THE HONORABLE COMMISSIONER OF PATENTS, WASHINGTON DC, 20231

PRELIMINARY AMENDMENT C

SIR: